



CITY OF HAYWARD AGENDA REPORT

PLANNING COMMISSION

MEETING DATE 01/13/00

AGENDA ITEM 2

TO: Planning Commission

FROM: Arlynne J. Camire, Associate Planner

SUBJECT: Variance No. 99-180-12- Christ's Community Christian Reformed Church (Applicant/Owner): Request to erect a plastic face, internally illuminated monument sign - The project location is 25927 Kay Avenue at Kay and Calaroga Avenue in the Single-Family Residential (RS) and the Medium Density Residential (RM) Districts

RECOMMENDATION:

It is recommended that the Planning Commission deny the variance subject to the attached findings.

BACKGROUND:

Setting

The 29,790 square-foot site is located on the north corner of Kay and Calaroga Avenues. The property is triangular in shape with a 275-foot wide street frontage on Calaroga Avenue, a 176-foot wide street frontage on Kay Avenue, a depth of approximately 184 feet and a rear property width of 200 feet that abuts a single family residence on Calaroga Avenue and multiple family residences on Kay Avenue (Attachment A). The parcel is developed with a church and related classroom and multi-purpose facilities.

An auxiliary parking lot for the Church will be developed across Calaroga Avenue next to single family residences. A condominium project is located to the east, across Kay Avenue and the Casa Romana Si Capela Church is located on the opposite corner to the south.

There are three signs posted on the Church site. A wooden freestanding sign on the Calaroga Avenue frontage adjacent to Cathy Way has a sign permit. However, a temporary plywood bulletin board sign attached to two poles located on the Kay Avenue frontage and a wall sign near the front entrance of the Church do not have permits. The Church intends to retain the wooden sign. The temporary bulletin board sign and the wall sign are required to be removed regardless of approval or denial of the variance application. If the Church is permitted to erect the monument sign, staff recommends the removal of the wooden sign.

Project Description

The applicant proposes to erect a monument sign at the corner of Calaroga and Kay Avenues. The proposed sign is a 4-foot by 5-foot metal cabinet with a two-sectioned face that contains a plastic sign with the name of the church in white letters on a green background and a "lexan" covered white background reader board. The cabinet has the ability to be internally illuminated and rests on a stone base. In addition, the cabinet is accented by a metal scroll design on top. The overall height of the sign will not exceed 6 feet (Attachment B). The sign will be set back 27 feet from Calaroga Avenue and 20 feet from Kay Avenue.

The height, size of the reader board and sign cabinet and its location meet Sign Ordinance standards for signs located in a residential district. However, Section 10-7.307 (Design) of the Sign Ordinance prohibits plastic signs and internally illuminated signs in residential districts and staff feels that the overall design of the metal sign including the scroll detail is not compatible with the buildings on-site and the surrounding residential neighborhood.

The applicant purchased the sign prior to obtaining a sign permit. The purchase of the sign was based on a conversation with a planner who reviewed a proposed sign plan at the counter and asked the applicant to make revisions to the size of the sign and to return with a redesign prior to approval and issuance of a permit (Attachment C). Staff has met with the applicant several times and suggested modifications to the sign.

The applicant is willing to make changes to the sign to make it more compatible with the surrounding residential neighborhood. The rock base has been added around a metal pedestal. However, the plastic face cannot be removed without destroying the sign. Since the sign is not compatible with the Sign Ordinance and the sign has been purchased, staff suggested that the applicant allow the Planning Commission to review the sign and decide if it is appropriate for the residential neighborhood.

If the Planning Commission does determine that this plastic sign is appropriate for the site, staff suggests that the following changes be made to the sign:

- A rock base extending up both sides of the cabinet to the top of the sign. The rock should be similar to the cultured rock that is on the church façade (Attachment D).
- A planter that matches the rock base at the base of the sign.
- Removal of the scroll accent
- Texture coat paint to cover the metal and to match the stucco and color of the church.

ENVIRONMENTAL REVIEW

The proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. However, it qualifies for a Categorical Exemption under Section 15311, Class 11 (a) (Accessory Structures - On-Premise Signs) of the CEQA Guidelines.

PUBLIC NOTICE

On December 17, 1999, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Southgate Area Homeowners Association and the Southgate Neighborhood Plan Task Force members. The Referral Notice provided an opportunity for persons to comment on the project. Three comments were received.

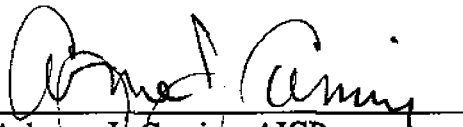
The President of the Southgate Homeowner's Association felt that the sign fits in with the Church and its activities (Attachment E). However, not all the members of the Association agree. Residents Deanna Bogue and Cathy Moran oppose the variance request because they feel that the sign looks like a sign found in a commercial zoning district rather than a residential neighborhood. They feel that a reader board is not necessary. They also point out that the existing Church signs do not fit in with the character of neighborhood (Attachment F).

On January 3, 2000, a Notice of Public Hearing for the Planning Commission meeting was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Southgate Area Homeowners Association and the Southgate Neighborhood Plan Task Force members.

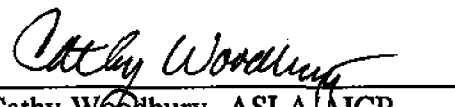
CONCLUSION

The proposed sign does not comply with the Design section of the Sign Ordinance in that plastic is prohibited sign material in all residential districts throughout the City. In addition, the internally illuminated sign does not reflect the design of the church nor does it incorporate materials compatible with those found on the church. Furthermore, the adjacent church was not granted exceptions to the Sign Ordinance in that the sign materials comply with those permitted in a residential district and the sign contains design elements of that Church.

Prepared by:

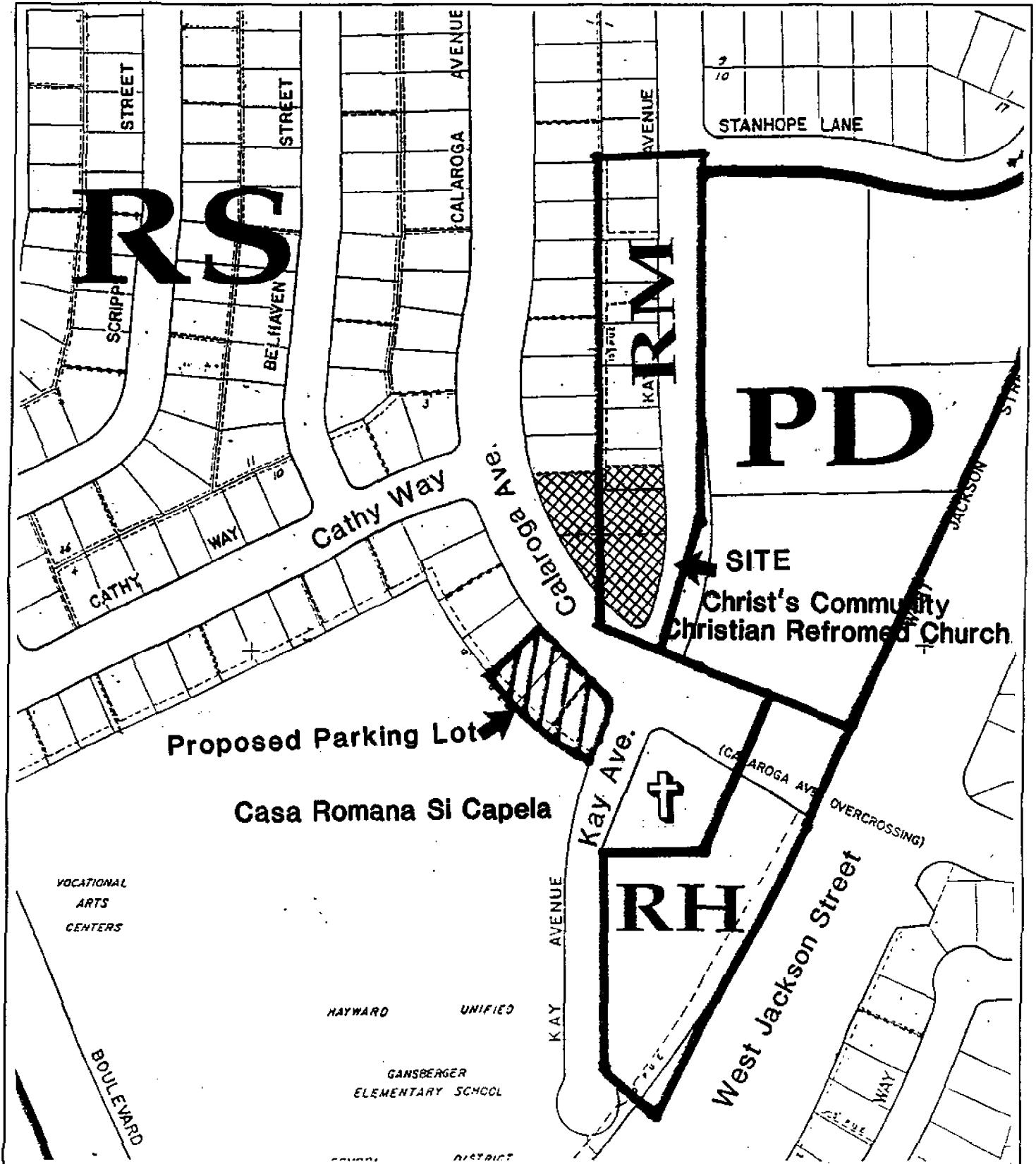

Arlynn J. Camire, AICP
Associate Planner

Recommended by:


Cathy Woodbury, ASLA/AICP
Principal Planner/Landscape Architect

Attachments:

- A Area Map**
 - B Sign Diagram**
 - C Letter from the applicant dated January 6, 2000**
 - D Photos Christ's Community Christian Reformed Church and Adjacent Church**
 - E E-mail received December 23, 1999, from Lore Warren, President, Southgate Area Homeowners Association**
 - F E-mail received on December 22, 1999, from Cathy Moran, resident**
 - G Findings for Denial**
- Plans**



ZONING/AREA MAP ■ VARIANCE NO. 99-180-12

Christ's Community Christian Reformed Church (Owner)
25927 Kay Avenue

CHRIST'S COMMUNITY CHURCH

SUNDAY SCHOOL
10:15AM

SUNDAY WORSHIP
9:00AM & 11:15AM

A CHRISTIAN
REFORMED CHURCH

Making a Place for You
Special Easter Sunrise Service
April 23, 2000 - 7:00 AM



John Vonnhof, Board Clerk
25927 Kay Avenue, Hayward, CA 94545 • 510-782-6010 • fax: 510-782-2845

Date: January 6, 2000

TO: Planning Commission, City of Hayward

RE: Church Sign Permit History

The following provides the history of our sign permit process.

Fall, 1998

A church property team member went to the Permit offices and received basic sign permit information. Over the next six-months, based on this information, the team proceeded with choosing a 4x8 foot sign for the church. A sign from J.M. Stewart was selected.

August, 1999

The church board approved and ordered a sign from J.M. Stewart.

I went to the Permit office and showed Arlynne Camire, Associate Planner, a color print of the sign we were ordering and asked about the next step in the permit process. She pulled out a copy of the sign regulations and informed me that the proposed sign was too large (32 square feet) and said we were limited to 20 square feet. She also told me that we could not have an internally lit sign in a residential zone. I indicated to her that we would then have to use external lighting.

We talked about the church's options, finally finding a smaller version of the same sign in the company's catalogue. Looking at the smaller sign that met the size requirements, Arlynne said, "I would have no problem approving that sign." She did not indicate any potential problems with the style, color, or sign material, nor was I told of or offered any additional information about sign regulations or the permit process. I left the meeting with the understanding the smaller sign would meet the city's requirements.

Based on our conversation, I changed the order to a smaller sign. The sign was made, shipped, and received by us in late-September. The sign cost \$4100.00.

October, 1999

In late-October, Pete Schoo, our Property Team leader came to the permit office with the permit application and drawings to obtain the permit. He met with Jim DeLuz, told him that this had been shown to Arlynne and she had given initial approval. Jim told him that that the

sign would have to go to their weekly meeting for review. The next week Jim called Pete and informed him the sign needed to be modified with an application of Texcoat and changes made to the top of the sign. Pete was not told of nor offered any information about sign regulations or the permit process.

November, 1999

In early November I came to the city Permit office and met with Jim DeLuz. He reviewed the city's position on changing the sign's exterior look with Texcoat, adding a stone base, and modifying the sign's top. Arlynne came over and told me the sign needed to be changed to fit with our building design. When asked about her previous approval, Arlynne, simply stated, "Most people would have come back in with a new sign picture." I informed her that she never told me that I needed to submit a new sign picture and that nothing had changed except the size. The color, style, and material were all the same. I agreed to add decorative rock to the base of the sign to reflect the front of the church. Our meeting ended when Arlynne called J.M. Stewart directly to inquire about modifying the sign. It took two weeks for the city and J.M. Stewart to make contact.

During this time I called Jim to further discuss the sign approval process. When asked if there was anything in writing that showed the sign regulations, Jim offered a copy of the city's sign regulations. I picked up a copy that same afternoon.

On Monday, November 29th, Jerry Johnson, the J.M. Stewart sales representative, told the city that any modifications to the sign would invalidate the warranty. To modify the top would cost about \$2000.00. After this determination and on Jim DeLuz's recommendation, a meeting was set with the Planning Manager.

December, 1999

In early December I met with Dyana Adderly, Planning Manager, to discuss the sign. Dyana had not talked to her staff nor reviewed our permit request prior to our meeting and I had to review the process for her. As she looked at the sign regulations, she informed me that our sign was also in violation of the regulation that disallowed plastic signs in residential areas. She informed me that we would have to apply for a variance and filled out the form. I asked Dyana about adding the internal lighting to the variance request and she indicated we "...might as well add it in, it wouldn't hurt."

The Process

As I think back over the process, several things need to be addressed.

- Arlynne gave verbal approval to our sign, indicating she would have "no problems approving the sign."
- In one of my later trips to the office, I discovered a paper in a holder on the wall, "How to apply for a sign permit." Why was this not offered at any point in the process?
- Only when asked for, did the city offer a copy of the sign regulations. Why was this not offered by the city?
- Why were we not initially told of any sign constraints: i.e., design, color, and material.
- At the first meeting with Arlynne, I was told of the size and lighting constraints.

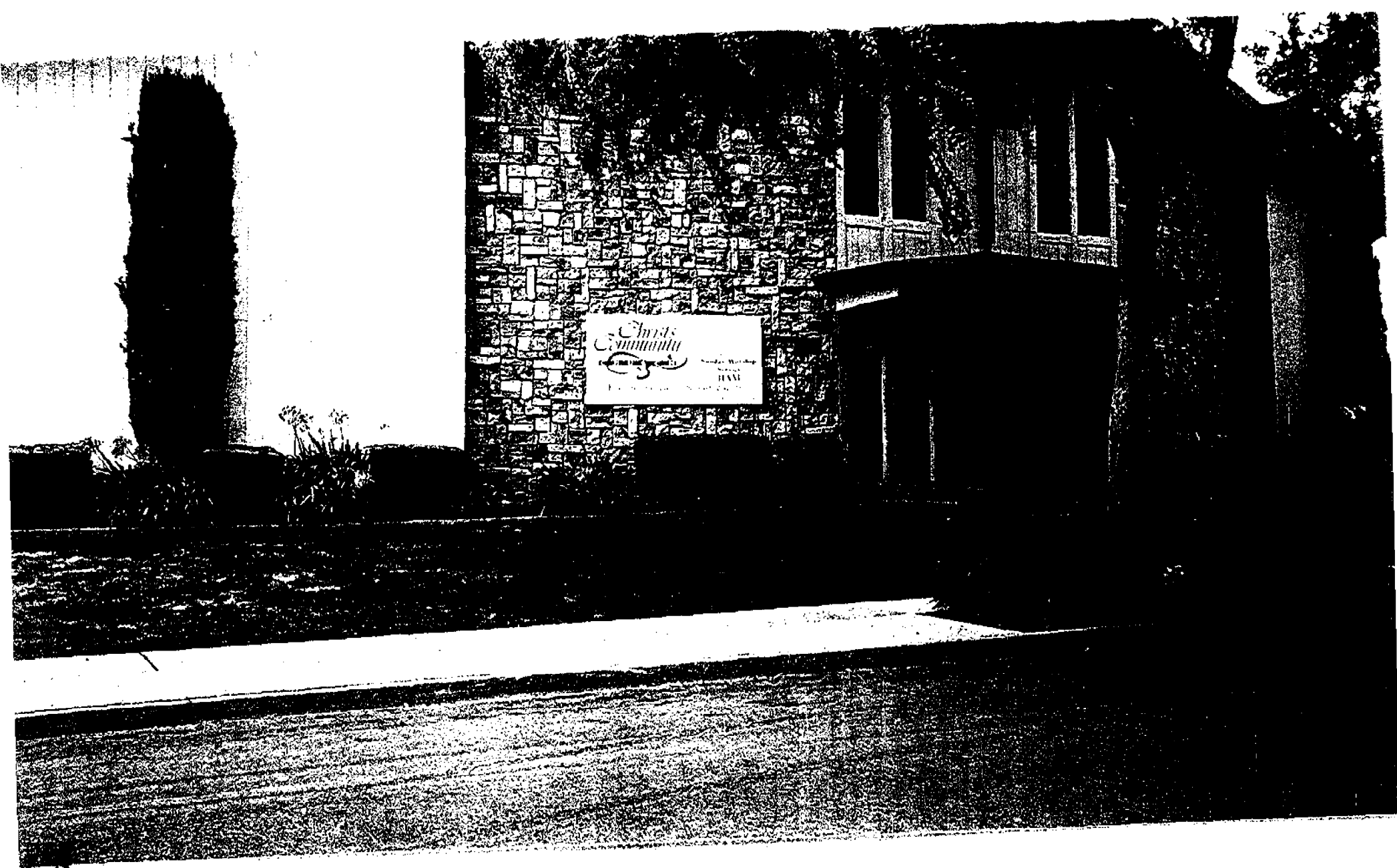
- Only when we came in to submitted the permit application were we subsequently told of the style and texture issues.
- Only when I met with the manager was I told of the plastic issue.
- What further unidentified issues might there be that we have not been told about?

The Sign

- An internally lit sign would be less intrusive then a sign with external lighting that would illuminate the sign, the shrubs, and the building behind them. It uses soft fluorescent lights whereas external lighting would use spot floodlights.
- The sign would only be lit in the evening hours, not during the day, and not all night. The sign's lighting will be on a timer.
- The sign will be placed facing the corner, not the condo's across from the church. This makes any lighting less of an issue.
- The sign is color matched to our building.
- We agreed to the city's request to add a rock base to the sign which will match the stone on the exterior of our worship center.
- The metal sign is coated with a graffiti resistant paint. To modify the sign with an application of Texcoat, as requested by the city, would invalidate the 20-year warranty. Additionally, the church building does not have a textured stucco coating--the front of the church is rock and wood.
- The front of the sign is Lexan, a very strong vandal resistant material. The city's regulation states, "Plastic signs shall be prohibited in residential areas." Our sign has a Lexan front, not plastic. The city's regulations speaks to plastic signs—our sign is a combination of metal and Lexan.

Christ's Community Church purchased this sign based on our discussions with and the information given to us by the City of Hayward. We have acted in good faith during this process, trying to do whatever is necessary to put up our new sign. The sign was custom made for our church at an expense of \$4100.00.

We simply ask for a variance to install the purchased sign, preferably with internal lighting.



Christ's Community Christian Reformed Church

Kay Avenue Elevation and Wall Sign



Casa Romana Si Capela

The sign is consistent with residential sign design standards in that the sign incorporates design elements and material of the Church.

From: Lore Warren <lorewarren@earthlink.net>
To: COHD.CED(ArlynneC)
Date: Thu, Dec 23, 1999 9:56 PM
Subject: Christ's Community Church

Dear Arlynne - I received the notice regarding the proposed sign. We do not have a Homeowners Meeting until January - - however, I feel that the sign looks quite good and fits in with the church and its activities. They have always been very concerned regarding "fitting in with their neighbors" - - and this sign certainly attests to that.

Lore Warren
President
Southgate Area Homeowners Association

From: "Moran, Cathleen L" <cathleen.l.moran@intel.com>
To: COHD.CED(ArlynnC)
Date: Wed, Dec 22, 1999 9:09 AM
Subject: Project comments

RE: VAR 99-180-11

Arlynn,

I must strongly object to the signage proposed by Christ's Community Church. Ours is a residential neighborhood, not a retail district, and the proposed sign would make it look like the latter. The city's sign ordinance is working well to keep this kind of blight from our neighborhood. It's worth noting that Bridgeport, the condominium community I'm a part of across the street from the church, voted years ago to ban the use of real estate signs on the property because they degrade the appearance of the community and neighborhood. Property sellers have effectively used other means of communication to sell property since that decision. I'd prefer that the church also find other means of communicating rather than construct this sign.

Regards,

Cathy

FINDINGS FOR DENIAL

Variance Application No. 99-180-12

25927 Kay Avenue

Christ's Community Christian Reformed Church (Applicant/Owner)

- A. There are not special circumstances peculiar to the property involved that do not apply generally to property in the same district in that the Sign Ordinance does not permit plastic signs in residential districts; and
- B. Literal interpretation of this article would not deprive the applicant of rights enjoyed by others in the same district in that the applicant is permitted to erect a sign that meets the regulations for signs permitted in residential districts; and
- C. The variance would grant a special privilege inconsistent with the limitations upon other properties in the Single-Family Residential District in that the church located adjacent to the applicant was required to use sign materials that meet Sign Ordinance standards.